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January 12, 2010

BY E.C.F. AND HAND

Honorable Carol B. Amon
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Derek Sargeant v. The City of New York, et. al.
09 Civ. 3413 (CBA)(JO)

Your Honor:

I am the attorney in the Special Federal Litigation Division of the New York City Law Department assigned to the defense of the above-referenced matter. The parties in this action have reached a settlement agreement. To that end, I respectfully enclose the executed original Stipulation and Order of Settlement and Discontinuance for Your Honor's signature and filing.

Defendants thank the Court for its time and consideration of this matter.

Respectfully submitted,

/s/

Morgan D. Kunz
Assistant Corporation Counsel
Special Federal Litigation Division

Encl.

cc: Clerk of the Court for the Eastern District of New York (By E.C.F.)

Honorable James Orenstein, United States Magistrate Judge (By E.C.F.)

Robert Marinelli, Esq., Attorney for Plaintiff (By E.C.F.)